

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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JAYSON HENRY BALL,	)	3:05-cv-00510-LRH-VPC
Plaintiff,	)	
vs.	)	<u>ORDER</u>
TIMOTHY O'BRIEN, et al.,	)	
Defendants.	)	

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Before the court is Plaintiff's motion for reconsideration (Doc. #9) of the court's order dismissing his action with prejudice (Doc. #7) on November 14, 2005. Plaintiff's motion was filed September 5, 2006.

Plaintiff's proposed action was a civil rights action against his former public defender, the Governor, and the City of Las Vegas, Nevada. The complaint was dismissed for failure to state a civil rights claim pursuant to 42 U.S. C. § 1983. Plaintiff was given time to amend his complaint, failed to do so and the court thereafter dismissed his complaint with prejudice.

Plaintiff has requested reconsideration upon the representation that he did not receive copies of the court's orders due to having transferred prison locations. Regardless, Plaintiff had a duty to advise the court of his proper address at all times. No grounds for reconsideration have been shown and his motion is untimely.

The court further notes that Plaintiff appears to be confused concerning his legal remedies. He submitted a civil rights complaint in this action which, if allowed, would have only been a civil action seeking monetary damages against the named defendants. It would be an

1 inappropriate remedy for purposes of seeking any relief from his criminal conviction. It further  
2 appears that he stated no valid civil claims against any of the named Defendants and his action  
3 for such relief was properly dismissed.

4 If Plaintiff wishes to challenge his criminal conviction and sentence, he would have to  
5 pursue such relief through other remedies. The court makes no finding concerning whether such  
6 remedies would be available to Plaintiff.

7 Plaintiff's motion for reconsideration (Doc. #9) is DENIED and any other pending  
8 motions are also denied as moot.

9 DATED this 24<sup>th</sup> day of April, 2007.

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LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE  
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